

IN THE U.S. DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

RECEI

ROBERT ANDREW WERMUTH,
PLAINTIFF

2005 DEC 20 AM 8:34

V.

CLERK P. LACI
U.S. DISTRICT
MIDDLE DISTRICT

CV-2005-644

SHANNON CARROLL YOUNGBLOOD,
et., al.,
DEFENDANT

MOTION TO ENTER SANCTIONS FOR
MOTION TO ENTER SANCTIONS FOR
FAILURE TO COMPLY WITH COURT ORDER

Comes now, Plaintiff, Robert Wermuth, Pro-Se, and shows this Court, despite the request for "PRODUCTION OF DOCUMENTS" as this Court ordered on November 29, 2005. The Defendants have failed to comply with court order to produce "STANDARD OPERATING PROCEDURE" for "VEHICLE PURSUIT". Again, Plaintiff moves this Court for the award of sanctions and reasonable attorneys fees as set out in Rule 37 Ala.R.Crim.P. and hereby order the Defendant to produce S.O.P.'s for "VEHICLE PURSUIT" and as cause for such presents the following:

- 1) On October 24, 2005 Plaintiff submitted a motion for "PRODUCTION OF DOCUMENTS" (ie. S.O.P. for "VEHICLE PURSUIT" and "USE OF FORCE" K-9's to effectuate an arrest).
- 2) In this same motion Plaintiff showed the Court the importance of S.O.P.'s because the burden had now shifted to the Plaintiff to show that the Defendants acted willfully, maliciously, fraudently, in bad faith, beyond his authority, or under a mistaken interpretation of the law as the Court has held in Howard v. City of Atmore, 887 so.2d 201 (ALA. 2004) quoting Ex Parta Cranmann, 792 so.2d 392 (ALA 2000).
- 3) Again, on December 14, 2005 Defendant entered a "RESPONSE TO PLAINTIFFS MOTION FOR SANCTIONS" but still failed to produce S.O.P. for "VEHICLE PURSUIT" as clearly set out in paragraph 4 of Plaintiff's "MOTION TO ENTER SANCTIONS FOR FAILURE TO COMPLY WITH COURT ORDER".

4) Again, Defendants show contempt and little respect not only for the plaintiff, but to the Judge and the Judiciary as a whole.

5) Plaintiff, again, moves this Court to find the Defendants in contempt of court and hereby "GRANT" Plaintiffs motion for sanctions and reasonable attorney's fees and any further relief that the court deems necessary.

6) Plaintiff prays this Court while considering this motion that we are dealing with someone who is trained in the law and that these interfearences with the proceedings of this court are totally unnecessary.

Respeectfully Submitted,

Robert Weemuth

Done this 19th day of December, 2005.

I hereby certify that I have placed in the U.S. MAIL, a copy of the foregoing document properly postmarked to the address as follows:

KIMBERLY O. FEHL
CITY OF MONTGOMERY
LEGAL DEPARTMENT
103 N. PERRY ST.
MONTGOMERY ALABAMA
36104